

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### HOME ENTERTAINMENT SYSTEM AND METHOD

the specification of which (check one) X is attached hereto or \_\_\_ was filed on \_\_\_\_\_ as Application No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
			Yes	No
Number	Country	Day/Month/Year Filed	_____	_____
Number	Country	Day/Month/Year Filed	_____	_____

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) below.

<u>60/414,234</u>	<u>September 26, 2002</u>
Application Number	Filing Date

_____	_____
Application Number	Filing Date

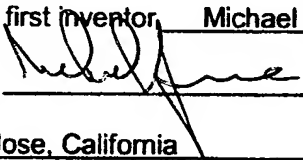
I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Filing Date	Status: Patented, Pending, Abandoned
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Application Number	Filing Date	Status: Patented, Pending, Abandoned
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Michael Sprauve

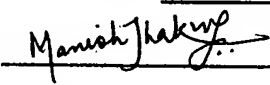
Inventor's signature  9/18/03  
Date

Residence San Jose, California

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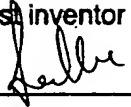
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Full name of sole or first inventor Brent Bilger  
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Full name of sole or first inventor Ravi Verma

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Michael Sprauve, et al.

Group Art Unit: Unknown

Serial No. New

Examiner: Unknown

Filed: Herewith

Title: HOME ENTERTAINMENT SYSTEM AND METHOD

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**POWER OF ATTORNEY BY ASSIGNEE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, being Assignee of the entire right, title and interest in the above-identified application by virtue of an Assignment, a copy thereof is attached, under 37 C.F.R. §3.71, to prosecute the application to the exclusion of the Inventor(s), and grants Power of Attorney and correspondence address as stated herein.

Destiny Networks, Inc., hereby appoints all Practitioners at Customer Number: 26379 as attorneys/agents with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Assignee: Destiny Networks, Inc.  
14790 Monterey Road, Suite 300  
Morgan Hill, CA 95037

Date 9/18/03

***Destiny Networks, Inc.***



Mark Stiving, Ph.D.  
President and CEO

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